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9 *Financial d/b/a Shellpoint Mortgage Servicing*

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 TEAL PETALS ST TRUST,

13 Plaintiff,

14 vs.

15 NEWREZ LLC f/k/a NEW PENN FINANCIAL
d/b/a SHELLPOINT MORTGAGE
16 SERVICING; a foreign limited liability
company; and DOE individuals I through XX;
17 and ROE CORPORATIONS I through XX,

18 Defendants.

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20 NEWREZ LLC f/k/a NEW PENN FINANCIAL
d/b/a SHELLPOINT MORTGAGE
21 SERVICING,

22 Counter-claimant,

23 vs.

24 TEAL PETALS ST TRUST; DOES I through X,
inclusive; and ROE CORPORATIONS I through
25 X, inclusive,

26 Counter-defendants.
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Case No.: 2:22-cv-00395-JAD-DJA

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO AMEND
PLEADINGS OR ADD PARTIES**

(THIRD REQUEST)

1 Teal Petals St Trust (**the Trust**) and NewRez LLC f/k/a New Penn Financial d/b/a Shellpoint
2 Mortgage Servicing (**Shellpoint**) stipulate to extend the deadline to amend pleadings or add parties for
3 three (3) week from June 16, 2023, to **July 7, 2023**.

4 The parties previously agreed to stay discovery deadlines pending the outcome of a chapter 11
5 bankruptcy initiated in the U.S. Bankruptcy Court, District of Nevada, *In re 9863 Dublin Valley, LLC*,
6 Case No. 22-12180-mkn. [ECF No. 18.] The court approved the parties' stipulation and ordered
7 discovery stayed. [ECF No. 19.] The automatic stay in the chapter 11 bankruptcy was subsequently
8 annulled and the bankruptcy matter is now closed. [See ECF No. 22.] The court extended discovery
9 deadlines upon lifting the discovery stay in this case. [ECF No. 23.] The parties subsequently
10 stipulated to, and the court approved, an extension of the deadline to amend pleadings or add parties
11 by two weeks. [ECF No. 24.]

12 Shellpoint recently received a letter dated May 9, 2023, wherein the Trust seeks loan
13 information from Shellpoint as the property's "current titled owner." Testimony and filings in the
14 bankruptcy matter indicate 9863 Dublin Valley, LLC acquired title to the property in July 2022.
15 On May 17, 2023, Saticoy Bay LLC Series 9863 Dublin Valley St made the winning bid at the deed of
16 trust foreclosure sale. Shellpoint, through its counsel, responded to the Trust's letter on June 12, 2023.

17 Good cause exists pursuant to LR 26-3 to extend the deadline to amend pleadings or add
18 parties given the recent developments since the parties previously requested a two-week extension on
19 June 2, 2023, after which time Shellpoint's counsel learned of the Trust's letter. The parties request an
20 additional time to stipulate to amendment of Shellpoint's answer and counterclaims [ECF No. 8] or for
21 Shellpoint to file the appropriate motion.

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Shellpoint's counsel is set to appear in trial in *Carrington Mortgage Services, LLC v. Silverado Place Homeowners' Association et al.*, Case No. 2:17-cv-01311-RFB-BNW commencing June 28, 2023. Additionally, filings in this matter on Shellpoint's behalf are subject to multiple levels of review. The parties therefore request an extension of three weeks. Excusable neglect exists for the reasons set forth in the prior stipulation [ECF No. 24] and above.

DATED this 16th day of June, 2023.

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<u>/s/ Paige L. Magaster</u>	<u>/s/ Christopher L. Benner</u>
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IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

Case No.: 2:22-cv-00395-JAD-DJA

DATED: June 21, 2023